

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (AT CINCINNATI)**

RUTH ANN COOPER, D.P.M.,  
individually and as the representative of a  
class of similarly-situated persons,  
  
Plaintiff,  
  
v.  
  
NEILMED PHARMACEUTICALS, INC.,  
and JOHN DOES 1-5,  
  
Defendants.

) Case No. 1:16-cv-945  
)  
) Judge: Hon. Michael R. Barrett  
)  
) **PLAINTIFF’S NOTICE OF DECISION**  
) **IN *PDR NETWORK* AND REQUEST TO**  
) **LIFT STAY AND SET SCHEDULING**  
) **CONFERENCE**  
)  
)  
)  
)

Defendant NeilMed Pharmaceuticals, Inc. (“NeilMed Pharmaceuticals”) moved to stay this action pending a decision from the United States Supreme Court in *PDR Network, LLC v. Carlton & Harris Chiropractic Inc.*, No. 17-1705. *See* Defendant NeilMed Pharmaceuticals, Inc.’s Motion to Stay Action Pending United States Supreme Court’s Decision in Case that May Decide Scope of “Advertising” Faxes under TCPA (Doc. 44). Plaintiff Ruth Ann Cooper, D.P.M. (“Dr. Cooper”) did not oppose the Motion, and this Court granted the requested stay. *See* Order (Doc. 51), p. 1 (“this matter shall be **STAYED** pending a decision in [*PDR Network, LLC v. Carlton & Harris Chiropractic Inc.*, No. 17-1705].”)(*emphasis in original*). This Court then ordered the parties to notify it of the Supreme Court’s decision in *PDR Network*. *See* Order (Doc. 51), p. 1 (“The parties shall notify the Court **within 14 days** of the United States Supreme Court’s decision in *PDR Network*.”)(*emphasis in original*).

On June 20, 2019, the Supreme Court issued its decision in *PDR Network*, a copy of which is attached hereto as Exhibit A. Accordingly, in compliance with the Court's Order, Dr.

Cooper hereby notifies the Court of that decision and, additionally, requests that this Court lift the stay and set a case management conference to establish a new case schedule.

Respectfully submitted,

/s/Matthew E. Stubbs

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*Counsel for Plaintiff Ruth Ann Cooper, D.P.M.,  
individually and as the representative of a class of  
similarly-situated persons*

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

/s/Matthew E. Stubbs

MATTHEW E. STUBBS